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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 458/2019**

AMIT CHOUDHURY

.....Appellant

Through: Mr. Arjun Kakkar, Advocate.

versus

KAVANDEEP SINGH SAMPURAN & ANR

.....Respondents

Through: Mr. Sarim Naved and Mr. Zeeshan Ahmad, Advocates for R-1 and R-2.

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+ **FAO 459/2019**

AMIT CHOUDHURY

.....Appellant

Through: Mr. Arjun Kakkar, Advocate.

versus

SAMPURAN SINGH & ANR

.....Respondents

Through: Mr. Sarim Naved and Mr. Zeeshan Ahmad, Advocates for R-1 and R-2.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

11.11.2025

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CM APPL. 70146/2025 & CM APPL. 70138/2025

1. Allowed, subject to all just exceptions.



2. The application stands disposed of.

CM APPL. 70145/2025 & CM APPL. 69985/2025

3. These applications under Section 9 (1) (d) of the Arbitration and Conciliation Act, 1996 read with Section 151 read with Order XL of the Code of Civil Procedure, 1908, have been filed by the appellant seeking appointment of a Court receiver or a Local Commissioner to carry out inspection of the disputed property on the ground that attempts are being made by the respondents to change the status quo.

4. Though the interim order continues to be in operation, the appellant is stated to have received credible information that the respondents are trying to make alterations/modifications in the appellant's scheduled property by disturbing the entry and exit points, which would ultimately depreciate the value of the property. It is submitted by the learned counsel for the respondents that no such attempt had ever been made by the respondents and the allegation that an attempt is being made to modify the status



quo, that is ordered earlier, is not correct.

5. During the course of arguments, the learned counsel for the respondents was asked whether they were ready to file an affidavit to the effect that they had not brought about any changes to the status quo relating to the disputed property, to which the learned counsel replied that he would file an affidavit if the respondents are in the country.

6. He submitted that there is a possibility that they may be abroad and in such circumstances, he would require time for filing the affidavit.

7. In the meantime, it is necessary to preserve the subject matter till the lis is finally decided. Hence, for the reasons stated in the application and in the interest of justice, the prayer for appointment of a Local Commissioner is allowed.

8. Mr. Sanjay Singh, Mobile No.9958118327, Email sanjaybhu2011@gmail.com is appointed as the Local Commissioner who shall go the property at the earliest and report



the points that have been asked for in the application.

9. The appellant shall pay an amount of Rs.1,00,000/- as fees to the Local Commissioner, which will exclude the transportation expenses.

10. The disputed property is 9B-14B-8-1/3B Pukhta at Village Bhanour, District Ludhiana, Punjab and the exact description of the disputed property, as per records, is given below:-

“Hadbast No. 296, comprised in Khata Nos. 136/1576, Khasra Nos. 420 [4-0-0], 429 [2-8-0], 431 [1-14-0], 431/ 1[0-16-0] i.e. total 5 plots in which the Respondent had a 77 /368th share and Khata nos. 137/158, 159, 160, 161 khasra nos. 414 [0-9-0], 416 [0-5-5] i.e. 2 plots measuring [0-14-5] and Khasra nos. 491 [0-11-12] and 430 [0-8-0] and khasra no. 164 [1-0-0], i.e. total 5 khewats measuring [1-13-17] in which the Respondent had a 227/1077th share and khata no. 138/162, khasra nos. 417/1 [0-4-5], 639/1 [0-4-5] i.e. total 2 plots [0-8-10] in which the Respondent has a 9/85th share and khata no. 139/163, khasra no. 418 [1-9-15] in which the Respondent has 298 / 595th share and khata no. 140/ 164, khasra no. 419 [2-0-0] in which the Respondent has 389/ 1000th share and khata no. 142/ 168, khasra no. 1217 / 417 [1-10-0] I which the Respondent has 293/600th share and khata nos. 146/172 and 173, Khasra no. 421 Min [1-0-0] and khasra no. 421 Min [3-0-0] total 2 khewats [4-0-0] in the Respondent has 556717 /2017800th share and Khata nos. 147 / 174, 175 and 176, khasra nos. 424 [1-6-16], 425 [2-12-10], 426 [3-15-0] and 427 / 1 [0-14- 0] i.e. total 4 plots



[8-8-6] and khasra no. 424 Min [3-1-] and khasra no. 427 /2 [1-7-0] i.e. Total; 6 khewats (12-1-6] in which the Respondent has 644422/2350737th share and Khata no. 150/180, Khasra no. 423 [0-3-0] in which the Seller has 7 /9th share situated in Village Bhanour, Tehsil & District Ludhiana.”

11. The Local Commissioner is directed to visit the disputed property at the earliest and report the state of affairs existing in the disputed property.

12. The inspection shall be conducted after due notice is served on both parties.

13. List on 21.11.2025.

CHANDRASEKHARAN SUDHA, J

NOVEMBER 11, 2025/mj